

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark Rule et al.

Serial No. 10/664,187

Filed: September 17, 2003

For: Multilayer Polymeric/Zero Valent
Material Structure For Enhanced Gas
or Vapor Barrier and UV Barrier and
Method for Making Same

Art Unit: 1772

Examiner: Miggins

TERMINAL DISCLAIMER IN APPLICATION

The owner, The Coca-Cola Company, of the entire interest in the above-identified present application hereby disclaims, except as provided below, the terminal part of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application No. 10/664,292 filed on September 17, 2003. The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that said patent and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee of such patent, its successor or assigns. Statement Under 37 C.F.R. §3.73(b) indicating ownership of present application and the second application by The Coca-Cola Company are submitted herewith.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office,
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Peter G. Pappas, Reg. No. 33205



Dated: June 28, 2004

AO 1147792.1

Serial No. 10/664,187

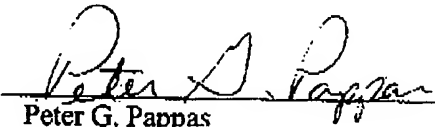
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In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent on the second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The fee of \$110.00 as required by 37 CFR § 1.20(d)) is to be charged to Deposit Account 19-5029.

The undersigned is an attorney of record and is empowered to act on behalf of the owner.

Date: June 28, 2004


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SAB Docket: 25040-0985

STATEMENT UNDER 37 C.F.R. §3.73(b)Applicant: Mark Rule et al.Application No.: 10/664,187 Filed: September 17, 2003For: Multilayer Polymeric/Zero Valent Material Structure For Enhanced Gas or Vapor Barrier and UV Barrier
and Method for Making SameThe Coca-Cola Company

(Name of Assignee)

a corporation

(Type of Assignee e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

(X) A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011358, Frame 0537.

OR

() B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

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() Additional documents in the chain of title are listed on a supplemental sheet.

() Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, a registered practitioner, is authorized and empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 28, 2004Name: Peter G. PappasReg. No.: 33205Signature: Peter G. Pappas

Attorney Docket No. File: 25040-0985

AO 1147834.1